

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.	:	10/646,970	Confirmation No.:	3048
Applicant	:	Carol J. Phelps et al.		
Filed	:	August 21, 2003		
T.C./A.U.	:	1600/1632		
Examiner	:	Magdalene K. Sgagias		
Title	:	Porcine Animals Lacking Any Expression Of Functional Alpha 1, 3 Galactosyltransferase		
Docket No.	:	10758.105009 REV1004		
Customer No.	:	20786		

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO CORRECT INVENTORSHIP  
FILED UNDER 37 CFR 1.48(a)**

---

Sir:

The subject patent application was filed August 21, 2003. An executed Declaration and Power of Attorney of Carol J. Phelps was filed in the application on January 5, 2004. Applicants, through their attorneys and agents, have discovered an error with the inventive entity set forth in the executed Declaration and Power of Attorney. David L. Ayares was omitted as a joint inventor in the application. Such error arose without any deceptive intention on the part of the person named as an inventor or on the part of the person who through error was not named as an inventor.

Pursuant to 37 CFR 1.48(a), Applicants respectfully request that the inventorship in the subject application be corrected to add David L. Ayares as a joint inventor in the application.

The following are enclosed in support of this Request to Correct Inventorship:

---

1. Omitted Inventor Statement
2. Declaration And Power Of Attorney of all inventors
3. Processing Fee
4. Assignee Consent

It is respectfully requested that the Commissioner grant this Request to Correct Inventorship and that David L. Ayares be added as a joint inventor in the application. Once corrected, Carol J. Phelps and David L. Ayares will be joint inventors in the application.

The required processing fee (\$130) set forth in § 1.17(i) is being paid by credit card at the time of electronic filing via EFS-Web. The Commissioner is authorized to charge any under payment of fees, or to credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

/Monique N. Kierlin-Duncan/

Monique N. Kierlin-Duncan, Ph.D.  
Reg. No. 63101

King & Spalding LLP  
Intellectual Property Dept. - Patents  
1180 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Main 404.572.4600  
Facsimile 404.572.5134

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/646,970 Confirmation No.: 3048  
Applicant : Carol J. Phelps et al.  
Filed : August 21, 2003  
T.C./A.U. : 1600/1632  
Examiner : Magdalene K. Sgagias  
Title : Porcine Animals Lacking Any Expression Of Functional Alpha 1, 3  
Galactosyltransferase  
Docket No. : 10758.105009 REV1004  
Customer No. : 20786

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**ASSIGNEE CONSENT TO REQUEST TO CORRECT INVENTORSHIP**  
**FILED UNDER 37 CFR 1.48(a)**

---

Sir:

Revivacor, Inc., a corporation of the State of Delaware, having a principal place of business at 1700 Kraft Drive, Suite 2400, Blacksburg, Virginia 24060, United States of America, states that it is the Assignee of the entire, right, title, and interest in the subject patent application, by virtue of an Assignment from the inventor, Carol J. Phelps. The Assignment was recorded in the United States Patent and Trademark Office on January 5, 2004 at Reel 014233, Frame 0538.

Assignee, Revivacor, Inc., does hereby consent to the correction of inventorship, the request for which is filed concurrently herewith, which seeks to add David L. Ayares as a joint inventor in the application.

Respectfully submitted,

**Revivacor, Inc.**

Date: 4/26/2010

Karla K. Gragg

Name: Karla K. Gragg

Title: Administration + HR Manager

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/646,970 Confirmation No.: 3048  
Applicant : Carol J. Phelps et al.  
Filed : August 21, 2003  
T.C./A.U. : 1600/1632  
Examiner : Magdalene K. Sgagias  
Title : Porcine Animals Lacking Any Expression Of Functional Alpha 1, 3  
Galactosyltransferase  
Docket No. : 10758.105009 REV1004  
Customer No. : 20786

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450


**INVENTOR STATEMENT  
REQUEST TO CORRECT INVENTORSHIP  
FILED UNDER 37 CFR 1.48(a)**

---

Sir:

The above-identified patent application was filed August 21, 2003 without naming myself, David L. Ayares, as a joint inventor. The error in inventorship occurred without deceptive intention on my part.

Dated: 26 April 2010

  
\_\_\_\_\_  
David L. Ayares

**DECLARATION AND POWER OF ATTORNEY**Attorney Docket No. **10758.105009 REV1004**In re Application of: **Carol J. Phelps and David L. Ayares**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"Porcine Animals Lacking Any Expression Of Functional Alpha 1, 3 Galactosyltransferase,"** the specification of which was filed with the U.S. Patent and Trademark Office on **August 21, 2003** and assigned U.S. Patent Application No. **10/646,970**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. *I understand that I have a duty of candor and good faith toward the Patent and Trademark Office,* and I acknowledge the duty to disclose information which is material to the patentability of the claimed invention of the application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed Under 35 USC § 119 (a)-(d)</u>
n/a			Yes _____ No _____

I hereby claim the benefit under Title 35, United States Code, § 119(e) of each United States provisional application(s) listed below:

<u>60/404,775</u>	<u>August 21, 2002</u>	_____	_____
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of each United States application(s) listed below and, insofar as the subject matter disclosed and claimed in the present application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application No.</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
n/a		

**AUTHORIZATION TO PERMIT ACCESS TO APPLICATION BY PARTICIPATING OFFICES**

☒ If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, or other intellectual property office in which a foreign application claiming priority to the above-identified application is filed to have access to the application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the application-as-filed with respect to: 1) the above-identified application, 2) any foreign application to which the above-identified application claims priority under 35 USC 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified US application, and 3) any U.S. application from which benefit is sought in the above-identified application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Declaration and Power of Attorney

Title: "Porcine Animals Lacking Any Expression Of Functional Alpha 1, 3 Galactosyltransferase"

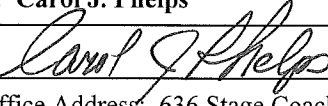
Page 2


POWER OF ATTORNEY: I hereby appoint the practitioners associated with **Customer Number 20786** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to: **Customer Number 20786**

Direct telephone calls to **(404) 572-4600**

Attention: **Rebecca J. Kaufman, Esq.**

Full name of inventor: <b>Carol J. Phelps</b>	Citizenship: United States of America
Inventor's signature 	Date: <b>4/26/2010</b>
Residence and Post Office Address: 636 Stage Coach Run SE, Floyd, Virginia 24091, United States of America	

Full name of inventor: <b>David L. Ayares</b>	Citizenship: United States of America
Inventor's signature 	Date: <b>26 April 2010</b>
Residence and Post Office Address: 300 Seminole Drive, Blacksburg, Virginia 24060, United States of America	